

E-filing

DEFENDANT INFORMATION RELATIVE TO A CRIMINAL ACTION - IN U.S. DISTRICT COURT
 BY: ☐ COMPLAINT ☐ INFORMATION ☒ INDICTMENT
☐ SUPERSEDING
OFFENSE CHARGED
 21 U.S.C. § 841(a)(1) and 841(b)(1)(C) - Possession With
 Intent To Distribute Crack Cocaine; 18 U.S.C. § 922(g)(1) -
 Felon in Possession of a Firearm; 18 U.S.C. § 924(c)(1)(A) -
 Using, Carrying, and Possessing a Firearm During, in Relation
 to, and in Furtherance of a Drug Trafficking Crime

☐ Petty
☐ Minor
☐ Misdemeanor
☒ Felony

PENALTY: SEE ATTACHMENT TO PENALTY SHEET

Name of District Court, and/or Judge/Magistrate Location

NORTHERN DISTRICT OF CALIFORNIA

OAKLAND DIVISION

DEFENDANT - U.S.

STEVEN DAY, a/k/a Steven Lamont

DISTRICT COURT NUMBER

CR08-0247 SBA**PROCEEDING**

Name of Complainant Agency, or Person (& Title, if any)

ALCOHOL, TOBACCO, FIREARM AND EXPLOSIVES

☐ person is awaiting trial in another Federal or State Court,
 give name of court

☐ this person/proceeding is transferred from another district
 per (circle one) FRCrp 20, 21, or 40. Show District

☐ this is a reprosecution of
 charges previously dismissed
 which were dismissed on motion
 of:

☐ U.S. ATTORNEY ☐ DEFENSE
SHOW
DOCKET NO.
☐ this prosecution relates to a
 pending case involving this same
 defendant
MAGISTRATE
CASE NO.
☐ prior proceedings or appearance(s)
 before U.S. Magistrate regarding this
 defendant were recorded under

Name and Office of Person

Furnishing Information on this form JOSEPH P. RUSSONIELLO☒ U.S. Attorney ☐ Other U.S. Agency

Name of Assistant U.S.

Attorney (if assigned) JAMES C. MANN, AUSA**DEFENDANT****IS NOT IN CUSTODY**

Has not been arrested, pending outcome this proceeding.

- 1) ☐ If not detained give date any prior
summons was served on above charges
- 2) ☐ Is a Fugitive
- 3) ☐ Is on Bail or Release from (show District)

IS IN CUSTODY

- 4) ☐ On this charge
- 5) ☐ On another conviction } ☐ Federal ☒ State
- 6) ☒ Awaiting trial on other charges

If answer to (6) is "Yes", show name of institution

Santa Rita Jail
 Has detainer ☐ Yes
 been filed? ☐ No

 If "Yes"
 give date
 filed
**DATE OF
ARREST**

Month/Day/Year

Or... if Arresting Agency & Warrant were not

**DATE TRANSFERRED
TO U.S. CUSTODY**

Month/Day/Year

☐ This report amends AO 257 previously submitted**ADDITIONAL INFORMATION OR COMMENTS****PROCESS:**
☐ SUMMONS ☐ NO PROCESS* ☒ WARRANT
Bail Amount: NO BAIL

If Summons, complete following:

☐ Arraignment ☐ Initial Appearance

Defendant Address:

* Where defendant previously apprehended on complaint, no new summons or
warrant needed, since Magistrate has scheduled arraignment

Date/Time:

Before Judge:

Comments:

ATTACHMENT TO PENALTY SHEET FOR STEVEN DAY

Count One: 21 U.S.C. §§ 841(a)(1), (b)(1)(C) - Possession With Intent To Distribute A Schedule II Controlled Substance (Cocaine Base).

If 851 Information alleging prior felony narcotics conviction filed:

- (1) Imprisonment: Maximum 30 Years Imprisonment
- (2) Fine: Maximum \$2,000,000
- (3) Supervised Release: Maximum Lifetime
Mandatory Minimum 6-Year Term
- (4) Special Assessment: \$100.00

If 851 Information alleging prior felony narcotics conviction not filed:

- (1) Imprisonment: Maximum 20 Years Imprisonment
- (2) Fine: Maximum \$1,000,000
- (3) Supervised Release: Maximum Lifetime
Mandatory Minimum 3-Year Term.
- (4) Special Assessment: \$100.00

Count Two: 18 U.S.C. § 922(g)(1) – Felon In Possession Of A Firearm.

- (1) Imprisonment: Maximum 10 Years.
- (2) Fine: \$250,000
- (3) Supervised release: Maximum 3-Year Term
- (4) Special assessment: \$100.00

Count Three: 18 U.S.C. § 924(c)(1)(A) – Possession Of Firearms In Furtherance of Drug Trafficking Crimes.

- (1) Imprisonment: Maximum Life Imprisonment
Mandatory Minimum 5 Years Imprisonment
Consecutive To Any Other Term Of Imprisonment
- (2) Fine: \$250,000
- (3) Supervised Release: Maximum 5-Year Term
- (4) Special Assessment. \$100.00

E-filing

United States District Court

FOR THE
NORTHERN DISTRICT OF CALIFORNIA

VENUE: OAKLAND

UNITED STATES OF AMERICA,

v.

CRO8-0247 SBA

STEVEN DAY,
a/k/a Steven Lamont Day,

DEFENDANT(S).

INDICTMENT

21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Possession With Intent
To Distribute Crack Cocaine; 18 U.S.C. § 922(g)(1) – Felon in
Possession of a Firearm; 18 U.S.C. § 924(c)(1)(A) – Using, Carrying,
and Possessing a Firearm During, in Relation to, and in Furtherance
of a Drug Trafficking Crime

A true bill.

Lammi K

Deputy

Foreman

Filed in open court this 16 day of April
2008

Clerk

Bail, \$

Wayne D. Brazil *No bail arrest warrant.*
4-16-08

FILED
2008 APR 16 PM 4:36
RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

a

E-filing

JOSEPH P. RUSSONIELLO (CABN 44332)
United States Attorney

FILED

2008 APR 16 PM 4:36

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

CRO8-0247^{SBA}

UNITED STATES OF AMERICA,

Plaintiff,

v.

STEVEN DAY,
a/k/a Steven Lamont Day,

Defendant.

No.

VIOLATIONS: 21 U.S.C. §§ 841(a)(1) and
841(b)(1)(C) – Possession With Intent To
Distribute Crack Cocaine; 18 U.S.C. §
922(g)(1) – Felon in Possession of a
Firearm; 18 U.S.C. § 924(c)(1)(A) – Using,
Carrying, and Possessing a Firearm During,
in Relation to, and in Furtherance of a Drug
Trafficking Crime

OAKLAND VENUE

INDICTMENT

The Grand Jury charges:

COUNT ONE: (21 U.S.C. §§ 841(a)(1) and 841(b)(1)(C) – Possession With Intent To
Distribute Crack Cocaine)

On or about February 21, 2008, in the Northern District of California, the defendant,

STEVEN DAY,
a/k/a Steven Lamont Day,

knowingly and intentionally possessed with intent to distribute a Schedule II controlled
substance, namely, approximately 1 gram of a mixture and substance containing a detectable

INDICTMENT

1 amount of cocaine base in the form of "crack," in violation of Title 21, United States Code,
2 Sections 841(a)(1) and 841(b)(1)(C).

3 COUNT TWO: (18 U.S.C. § 922(g)(1) – Felon in Possession of a Firearm)

4 On or about February 21, 2008, in the Northern District of California, the defendant,

5 STEVEN DAY,
6 a/k/a Steven Lamont Day,

7 having previously been convicted of a felony crime punishable by a term of imprisonment
8 exceeding one year, did knowingly possess firearms and ammunition, described as: (1) a
9 Remington Model 870, 12-gauge shotgun, with serial number X274337M; (2) a RG Model
10 RG40, .38 caliber revolver, with serial number R068994; (3) six live rounds of .38 caliber
11 ammunition manufactured by Fiochi; and (4) twenty live rounds of 7.62mm ammunition
12 manufactured by Ordinance Factory, Varangaon, in and affecting commerce, in violation of Title
13 18, United States Code, Section 922(g)(1).

14 COUNT THREE: (18 U.S.C. § 924(c)(1)(A) – Using, Carrying, and Possessing a Firearm
15 During, in Relation to, and in Furtherance of a Drug Trafficking Crime)

16 On or about February 21, 2008, in the Northern District of California, the defendant,

17 STEVEN DAY,
18 a/k/a Steven Lamont Day,

19 did knowingly use and carry a firearm during and in relation to the drug trafficking crime alleged
20 in Count One herein, which crime may be prosecuted in a court of the United States, and, in

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INDICTMENT

1 furtherance of that crime, did knowingly possess that firearm, in violation of Title 18, United
2 States Code, Section 924(c)(1)(A).

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4 DATED: April 16, 2008

A TRUE BILL.

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6 Deputy

Laurie K S
FOREPERSON

7 JOSEPH P. RUSSONIELLO
United States Attorney

8
9 W. D. SPRAGUE
10 W. DOUGLAS SPRAGUE
Chief, Oakland Branch

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12 (Approved as to form: J. Mann)

AUSA J.C. MANN

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INDICTMENT